

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JASON DAVID FLORY,

Plaintiff,

vs.

CIV 17-0457 WJ/KBM

**NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,**

Defendant.

ORDER

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

¹ A separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58, will be entered.

DATED this 11th day of December, 2017.

BY THE COURT:


UNITED STATES CHIEF MAGISTRATE JUDGE

SUBMITTED AND APPROVED BY:

Electronically submitted 10/16/2017
STEPHANIE LYNN F. KILEY
Special Assistant United States Attorney

Electronically submitted 10/16 /2017
MICHAEL LIEBMAN
Attorney for Plaintiff